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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 KIM BLANDINO,

12 Plaintiff,

13 vs.

14 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; ET AL.

15 Defendants.
16

CASE NO.: 2:22-cv-00562-GMN-EJY

17 **STIPULATION TO STAY DISCOVERY**
(First Request)

17 Plaintiff, Kim Blandino ("Plaintiff") in Proper Person and Defendants, Las Vegas
18 Metropolitan Police Department and Joseph Lombardo ("LVMPD Defendants"), by and through
19 their counsel, Kaempfer Crowell, hereby stipulate as follows:

20 1) On April 4, 2022 Plaintiff filed his Complaint. [ECF. No. 1]. On September 30,
21 2022, after being served with the Complaint, the LVMPD Defendants filed a Motion to Dismiss.
22 [ECF No. 9]. The Motion to Dismiss sought dismissal of Plaintiff's claims against Defendant
23 Lombardo as the Complaint failed to allege that Lombardo was personally involved in any
24 alleged constitutional violation; that the Complaint failed to allege facts to support an allegation

1 that LVMPD has a custom, policy or practice resulting in the violation of Plaintiff's
2 constitutional rights; and Plaintiff's claims were barred by the Prison Litigation Reform Act
3 and/or were untimely. [ECF No. 9]. The Motion to Dismiss, if granted, would result in full
4 dismissal of the Complaint.

5 2) Plaintiff filed a response to the Motion to Dismiss, [ECF No. 18] and the LVMPD
6 Defendants filed a reply, [ECF No. 19]. In Plaintiff's response to the Motion to Dismiss,
7 Plaintiff seeks leave to amend the Complaint. [ECF No. 18]. Plaintiff addresses in his response
8 his current conditions of confinement and seeks leave to amend his Complaint to allege new
9 facts, new claims, and identify new parties. If Plaintiff is granted leave to amend his Complaint,
10 the trajectory of discovery will change drastically.

11 3) The parties request a stay of discovery until the Court rules on LVMPD Defendants'
12 Motion to Dismiss, [ECF No. 9]. A stay is necessary because the Court's resolution of this
13 pending Motion may fundamentally affect the scope of the remaining period of discovery in this
14 case, the currently named Defendants, and the on-going claims. This Stipulation arises from the
15 Parties' efforts to avoid motion practice regarding any potential discovery disputes and due to
16 Plaintiff's current conditions of confinement. A stay of discovery at this time will align with
17 Federal Rule of Civil Procedure 1 declaring that the Rules "should be construed, administered,
18 and employed by the court and the parties to secure the just, speedy, and inexpensive
19 determination of every action and proceeding.

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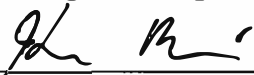
4) The Parties will submit a proposed Discovery Plan to the Court within twenty-one days after the Court's ruling on the Motion to Dismiss. The proposed Discovery Plan will address starting discovery, applicable deadlines, and timing of disclosures.

DATED this 13th day of December, 2022.

KAEMPFER CROWELL


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Plaintiff, Pro Se

ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

Dated: December 14, 2022